

**INDIANA ADVISORY COMMITTEE TO
THE U.S. COMMISSION ON CIVIL RIGHTS
MEETING MINUTES**

February 21, 2017

The Indiana Advisory Committee to the U.S. Commission on Civil Rights (Committee) convened via conference call to discuss civil rights concerns in the State. This was the first meeting of Committee members appointed December 12, 2016.

Diane Clements-Boyd chaired the meeting and performed the initial roll call of Committee members present. The meeting was open to the public and took place from 3:00 PM- 4:00 PM EST.

Present:

1. Diane Clements-Boyd (Chair)
2. Bill McGill
3. Carlton Waterhouse
4. Chris Douglas
5. Ellen Wu
6. Ernesto Palomo
7. James Haigh
8. Libby Cierzniak
9. Patti O'Callaghan
10. Robert Dion
11. Tammi Davis

Absent:

1. Richard Garnett
2. Tony Kirkland

Commission Staff Present

- Wojnaroski, Melissa (DFO)

Members of the Public Present

- None identified

Meeting Notes/ Decisions Made:

Ethics Review

- The online ethics training online currently unavailable. USCCR staff will advise Committee members as soon as the Office of General Counsel provides guidance on ethics requirements for the current year.
- In the meantime, USCCR staff provided the following ethics reminders:
 - As special government employees, Committee members may not engage in lobbying or fundraising during Advisory Committee Meetings, or any time they are acting in their official capacity as Committee members. When outside of

Committee meetings and not acting in their role as special government employees, Committee members are free to engage in such activities.

- Committee members should not speak on behalf of the Committee in any public capacity unless officially authorized to do so by a majority of the Committee. Committee members are free to list their membership on the Committee as part of their credentials in public communications.
- If Committee members have any questions regarding potential conflicts of interest or ethics violations, they should contact the Regional Programs Unit at 312-353-8311 to discuss.

Jurisdiction and scope of duties:

The Committee reviewed their roles and responsibilities (see Scope of Duties document attached). Under the Commission's charter each Advisory Committee shall -

- Advise the Commission in writing of any knowledge or information it has of any alleged deprivation of the right to vote and to have the vote counted **by reason of color, race, religion, sex, age, disability, or national origin**, or that citizens are being accorded or denied **the right to vote in Federal elections** as a result of patterns or practices of fraud or discrimination;
- Advise the Commission concerning matters related to discrimination **or a denial of equal protection of the laws under the Constitution** and the effect of the laws and policies of the Federal Government with respect to equal protection of the laws;
- Advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress;
- Receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the Advisory Committee;
- Initiate and forward advice and recommendations to the Commission upon matters that the Advisory Committee has studied;
- Assist the Commission in the exercise of its clearinghouse function and with respect to other matters that the Advisory Committee has studied;
- Attend, as observers, any open hearing or conference that the Commission may hold within the State.

Committee Officers

The Chair requested nominations for two Committee officer positions:

- **Vice Chair:** to assist the Chair with meeting preparations and serve in the capacity of the Chair in her temporary absence;
- **Secretary:** to maintain meeting records, oversee final editing of Committee publications, and to serve in the capacity of vice chair as needed.

The Committee discussed the following nominations:

- **Vice Chair:**
 - Bill McGill nominated Carlton Waterhouse to serve as Vice-Chair
 - Chris Douglas seconded the nomination
 - Carlton Waterhouse accepted the nomination
 - No other nominations were received.
 - Tammi Davis moved to close nominations and to appoint Carlton Waterhouse as Vice-Chair of the Committee; Chris Douglas seconded the motion and the motion passed unanimously by a voice vote.
- **Secretary:**
 - Tammi Davis volunteered to serve as secretary
 - No other nominations were received
 - Patti O'Callaghan moved to close nominations and to vote on the appointment of Tammi Davis as Secretary of the Committee.
 - Chris Douglas seconded the motion and the motion passed unanimously by a voice vote.

Civil Rights in Indiana: Topics of Future Study

The Committee discussed the following topics as potential areas of civil rights study in Indiana:

1. Bill McGill: LGBT rights and religious freedom (second highest priority from 2015)
2. Ellen Wu: The absence of hate crime law in IN
 - a. Libby Cierzniaak note: there is a bias crime bill moving through legislature right now; effectiveness unclear as it is currently on its Second Reading and contains several amendments.
3. Tammi Davis: Civil Rights and Immigration as it relates to national origin discrimination (ICE sweeps, etc.)
4. Chris Douglas: Voting rights.
 - a. Discussion was held on the outcome of the previous lawsuit against Indiana's Voter ID Law that went to the Supreme Court. It was noted that there were not enough specific examples given to prove voting rights violations at the time of the suit. (Crawford v. Marion County Election Board), though specific examples may be available now.
 - b. Robert Dion: supportive of all discussed topics but particularly interested in voting rights
5. Carlton Waterhouse: lead problem in East Chicago water; disparities in the exposure to lead based on race and national origin.
 - a. Currently IN is only testing about 30% of the children they are required to test for lead exposure under their CDC grant.
6. Jamie Haigh: Civil asset forfeiture and potential disparate impact on the basis of race and color.
7. Patti O'Callaghan: Noted two other outstanding topics from 2015 discussion-

- a. Wealth and inequality (proposed by Diane Clements-Boyd)
- b. Capital punishment (proposed by Rick Garnett)

Public Comment: At the conclusion of the meeting, all lines were opened for public comment. No public comment was received.

Next Steps:

- Next meeting is to take place in April 2017. USCCR staff will poll Committee members for availability.
- Committee members were invited to draft brief project concepts (1-2 paragraphs) identifying their preferred/top area of civil rights study for discussion at the next meeting.

Meeting Adjourned: 3:54pm EST

Next Meeting: TBD